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AUTHOR Leone, Peter; And Others
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ABSTRACT

This module, which is one in a series of training packages intended to train educators working with handicapped adolescents and young adults in correctional settings, deals with the U.S. criminal justice system. Addressed in the individual sections of the module are the following topics: the major functions of the criminal justice system, differences in the treatment of juvenile and adult offenders, and the major types of correctional education programs. The module includes instructional design specifications (module title, competency statement, rationale statement, prerequisites); module objectives; evaluation procedures and criteria, learning activities and alternatives; a content outline; references; handouts; overhead transparency masters; and a training evaluation form. (MN)

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C/SET

CORRECTIONAL/SPECIAL EDUCATION TRAINING PROJECT

TEACHER TRAINING MODULE #1:

CORRECTIONAL EDUCATION / THE CRIMINAL JUSTICE SYSTEM

Prepared by: Dr. Peter Leone
University of Maryland

and

Dr. Stephen Isaacson
State University College
@Geneseo

Editor: Dr. Mark Posluszny
State University College
of New York @Buffalo

Technical
Editor: Jo'lene Ralston
Arizona State University

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PROJECT DIRECTOR

Dr. Robert B. Rutherford Jr.
Department of Special Education
Arizona State University
Tempe, Arizona 85287
(602) 965-1450

COORDINATOR OF INSERVICE CURRICULUM

Dr. C. Michael Nelson
Department of Special Education
University of Kentucky
Lexington, Kentucky 40506
(606) 257-7925

COORDINATOR OF PRESERVICE CURRICULUM

Dr. Bruce I Wolford
Department of Correctional Services
College of Law Enforcement
Eastern Kentucky University
Richmond, Kentucky 40475-0957
(606) 622-3636

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I. Trainer's Guide..... 3

II. Needs Assessment..... 5

III. Instructional Design Specifications..... 6

IV. Objectives..... 7

V. Evaluation Procedures and Criteria..... 8

VI. Learning Activities..... 10

VII. Content Outline..... 13

VIII. References..... 17

IX. Overhead Transparencies..... 18

X. Handouts..... 26

XI. Training Evaluation..... 43

INTRODUCTION

This module is one in a series of training packages that have been designed for working with the handicapped adolescent and young adult in correctional settings. This particular module focuses on the Correctional Education/The Criminal Justice System. The complete set of C/SET Training Modules includes information on the following topics:

Module 1:	Correctional Education/The Criminal Justice System
Module 2:	Characteristics of Exceptional Populations (Juvenile and Adult)
Module 3:	Overview of Special Education
Module 4:	Overview of PL 94-142 and IEPs
Module 5:	Assessment of Exceptional Individuals
Module 6:	Curriculum for Exceptional Individuals
Module 7:	Instructional Methods and Strategies
Module 8:	Vocational Special Education

MODULE COMPONENTS

This module has been designed as a self-contained training package. It contains all the information and materials necessary to conduct training. Additional information and materials can be included at the discretion of the trainer.

Instructional Design Specifications. This cover page includes the following information:

Module Title
Competency Statement
Rationale Statement
Prerequisites

Module Objectives

Evaluation Procedures and Criteria

Learning Activities and Alternatives

Content Outline

References

Handouts

Overhead Transparency Masters

Training Evaluation Form

RECOMMENDED PREPARATION PROCEDURES

1. Review Materials. The trainer should thoroughly review the entire package and become familiar with the content of each component.

2. Conduct Needs Assessment.
   a. Type in the name and address of the trainer on the Needs Assessment Form.
   b. Duplicate the form and distribute to participants well in advance of the established training date(s).
      Note: Each item on the Needs Assessment Form corresponds to a major unit or section of the Content Outline as designated by a number, decimal, and a zero (e.g., 1.0, 2.0, 3.0). As such, each needs assessment question represents a very broad content area.

      A trainer may design a more specific needs assessment instrument by formulating questions related to subsections of the Content Outline. This is recommended when there is a specific pre-determined focus for training or when there is a limited amount of time for training.

3. Review the completed Needs Assessment Forms.

4. Select the topics/content to be presented.

5. Formulate objectives for the training sessions. The major objectives are listed on the Module Objectives pages(s). In situations where the training is more highly focused, the trainer should formulate more specific objectives.

6. Determine evaluation instruments and procedures. Evaluation procedures and questions corresponding to the objectives are listed in the Evaluation Procedures and Criteria section. Additional evaluation questions should be developed in situations where additional or more specific objectives have been formulated.

7. Determine learning activities.
   a. Review the Content Outline section and select the content to be presented.
   b. Review the Learning Activities section and prepare learning activities that relate to the objectives.
      Note: It is recommended that the format of the training session include frequent participant activities in addition to a traditional lecture presentation. For maximum effectiveness the trainer should change the format of the session at least every 30 minutes. In most cases this will require the development of additional learning activities.

8. Prepare overhead transparencies.
   a. Select and make overhead transparencies that will be used in the training session.
   b. Additional transparencies should be developed by the trainer when specific information needs to be emphasized.

c. In some cases the trainer may need to enlarge the transparencies when the training session will be conducted in a large room. Some transparencies will need to be separated where two have been placed on a page.

9. Prepare handouts
   a. Select and duplicate handouts.
   b. Additional handouts and materials for activities should be developed as needed.

DELIVERY OF MODULE TRAINING

The following is a list of recommendations for trainers relating to the delivery of module instruction.

1. Select a site conducive to training by considering the following:
   a. adequate size
   b. temperature control
   c. ventilation
   d. acoustics

2. Provide comfortable, moveable chairs and a hard writing surface for each participant.

3. Begin with a welcome and introduction of yourself. Include information on your background, training, and experience.

4. Explain the purpose of training.
   a. Provide a rationale (see Instructional Design Specifications section).
   b. Display and/or distribute a copy of the objectives the participants are expected to meet.
   c. Provide participants with a content outline listing the major and secondary level topics to be presented.

5. Explain the evaluation procedures to the participants.

6. It is recommended that the trainer provide a 10-minute break each hour. If the training session is to span the normal lunch period, provide at least 90 minutes. Access to refreshments during the training period is recommended.

7. Inform participants of the time-frame you intend to follow.

8. Periodically summarize the information you have presented.

9. Encourage participants to ask questions, ask for clarification, and/or ask for additional examples.

TRAINING EVALUATION

At the conclusion of the training session(s), ask the participants to complete the Training Evaluation Form.

C/Set Module #1: Correctional Education/The Criminal Justice System

Purpose: This module has been designed to meet the needs of individuals with a broad range of skills and experiences. Therefore, not all training sections and components may be appropriate for you. To determine your training needs and to make our training more efficient and effective, please complete the following survey. Since we need this information to prepare for the actual training sessions, please return the survey as soon as possible to:

What other concerns, needs, or questions do you have regarding the topic covered in this module?

Instructions: Please rate each of the following items with one of the following indications:

1. High training priority ("must be covered")
2. Medium training priority ("I could use the information")
3. Low priority ("Not needed or applicable")

Other comments, concerns, recommendations.

Topic	Rating		
	High	Med	Low
1. Introduction to the Criminal Justice System	1	2	3
2. Historical Perspectives on the Criminal Justice System	1	2	3
3. Current Trends in the Criminal Justice System	1	2	3
4. Correctional Education Programs	1	2	3

PROGRAM: C/SET Training Module

MODULE: Correctional Education/The Criminal Justice System

COMPETENCY: Upon completion of Module #1, the participant will be able to describe major functions of the criminal justice system, differences in the treatment of juvenile and adult offenders, and the major types of correctional education programs.

RATIONALE: Correctional educators need to have a basic understanding of the criminal justice system in order to understand the out-of-classroom experiences of the incarcerated students they teach. Basic knowledge of the criminal justice system will assist correctional educators in working with correctional officers, the courts, parole and probation officers, and other professionals in the system.

PREREQUISITES: None Required

1.0 The criminal justice system and process

After completion of this module, the participant will be able to:

1.1 State the three purposes of the criminal justice system.

1.2 Describe the criminal justice process through the stages of arrest, prosecution, incarceration, and release.

1.3 Describe the differences in the juvenile justice system, both in terms of the type of offender and the different manner in which they are processed through the system.

2.0 Historical perspectives on the criminal justice system

2.1 Identify the roots of contemporary justice practices.

2.2 State the consequences emphasized in each of two philosophical positions regarding criminal behavior.

2.3 Identify laws governing the protection of individuals subject to arrest, detention, and confinement.

2.4 Briefly state the Supreme Court's ruling in regard to juvenile offenders (In re Gault, 1967).

2.5 State which public issue currently influences the purposes and actions of the criminal justice system.

2.6 Describe the differences between jails, lockups, and prisons.

3.0 Current perspectives on the criminal justice system

3.1 State the approximate number of offenders housed in detention facilities and under supervision in the community.

3.2 Identify correct facts regarding conditions in adult correctional facilities.

3.3 Identify correct facts regarding juvenile detention facilities.

4.0 Correctional education programs

4.1 State the proportion of incarcerated juveniles and adults receiving educational services.

4.2 Describe the curricular emphasis in Adult Basic Education.

4.3 State what is indicated by attainment of a GED certificate.

4.4 Identify two criticisms of Vocational Education programs in correctional institutions.

4.5 Identify the courses of study usually offered in Post-Secondary Education programs.

4.6 State the proportion of handicapped juveniles and adult offenders receiving special education services.

PRE/POST TEST OF OBJECTIVES

1.0 The criminal justice system and process

1.1 List the three primary purposes of the criminal justice system.

(1)_____
(2)_____
(3)_____

1.2 Number the chronological steps in the criminal justice process: 1 for the first step, 2 for the next, and so forth.

____Arraignment	____Parole
____Arrest	____Preliminary hearing
____Bail	____Sentencing
____Incarceration	____Trial
____Investigation	

1.3 Describe the differences in the juvenile justice system.

1.3.1 Mark each descriptor as S (same) or D (different) to compare juvenile offenders with adult offenders and the juvenile justice system with the adult corrections system.

____ a. Proportion of property crimes
____ b. Proportion of violent crimes
____ c. Status offenses
____ d. Group crime vs. alone
____ e. Proportion of minority offenders
____ f. Proportion of males
____ g. Discretionary powers of judges
____ h. Sources of referral
____ i. Proportion diverted to social services

1.3.2 Match the juvenile justice terminology below with the corresponding adult correction terms (a through e).

Juvenile Justice	Adult Corrections
____Adjudication hearing	a. Complaint
____Involvement	b. Warrant
____Petition	c. Sentence
____Disposition	d. Trial
____Summons	e. Guilt

2.0 Historical perspectives of the criminal justice system

2.1 The roots of contemporary justice practices are (Circle one):

a. French existentialism
b. Old Testament law
c. English Common Law
d. Roman democratic system
e. The writings of Benjamin Franklin

2.2 The classicist position held that citizens entered into a contract of responsibility with the state and emphasized _____ in response to criminal behavior.

The positivist position held that all behavior is shaped by environmental, biological, and cultural influences, and it emphasized _____ as a response to criminal behavior.

2.3 Which of the following is not a right guaranteed to individuals during arrest, detention, and confinement? (Circle)

a. Speedy and public trial
b. Serve as own attorney
c. Freedom from cruel and unusual punishment
d. Freedom from self-incrimination

2.4 List three of the four due process requirements outlined by the Supreme Court in 1967 regarding the rights of an accused juvenile.

(1)_____
(2)_____
(3)_____

2.5 Which public issue currently influences the purposes and actions of the criminal justice system?

2.6 Describe the facilities below in terms of the offender's length of stay.

Facility	Length of stay
Prison	
Lockup	
Jail	

3.0 Current perspectives on the criminal justice system

3.1 State the approximate number of offenders housed in detention facilities and under supervision in the community (in the U.S.).

3.2 Identify each statement about adult correctional facilities as either true (T) or false (F) by circling:

T F a. The average age of inmates in state prisons is 28.
T F b. The average length of stay is 7 years.
T F c. State and federal laws have insured that every prisoner has a bed and no more than 2 men share a cell.
T F d. Inmates working in prison industries earn an average wage of about 20 cents per hour.
T F e. It costs about $6,000 per year to support one inmate.

3.3 Identify each statement about juvenile detention as true or false:

T F a. The average length of stay is about 4 months.
T F b. About half the juveniles in custody are confined to restrictive security facilites.
T F c. The average cost per juvenile per year is about $23,400.
T F d. Many juvenile services are provided through private agencies.
T F e. Juveniles in detention are more likely to receive educational and social services than adult offenders.

4.0 Correctional education programs

4.1 About _____% of incarcerated juveniles receive educational services.

About _____% of incarcerated adults receive educational services.

4.2 Adult Basic Education (ABE) programs emphasize _____ _____.

4.3 A Graduate Equivalency Degree (GED) indicates that an individual has mastered the skills necessary for_____ _____.

4.4 Two criticisms of Vocational Education programs are that (Circle two):

a. Some Voc-Ed programs teach nonfunctional or unnecessary skills.
b. Some do not provide opportunity to practice skills at the conclusion of training.
c. Many Voc-Ed instructors are not competent to train skills required by modern industry.
d. Voc-Ed programs are too costly for correctional education programs.
e. Admission to Voc-Ed programs requires reading and math skills.

4.5 Which classes would you be most likely not to see in a correctional Post-Secondary Education program? (Circle one or more):

a. Business
b. Engineering
c. Humanities
d. Liberal Arts
e. Medicine

4.6 About _____% of incarcerated handicapped juveniles receive special education services.

About _____% of incarcerated handicapped adults receive special education services.

These learning activities supplement the instruction described in the Content Outline. Each activity corresponds to specific module objectives, and all require participant discussion.

Learning Activity 1 (Objective 1.1)

Small or large group discussion:
Our government was designed to provide for a balance of power. To what degree are the law enforcement powers of the executive branch constrained by those of the legislative and judicial branches? How are the legislative powers limited by the judicial and executive branches?

Learning Activity 2 (Objective 1.2)

Large group discussion:

A. Discuss the meaning of the term discretion (see Glossary in Handout 2).

B. Police officers, prosecuting attorneys, judges, and corrections officers typically wield a large amount of discretionary powers in determining the fate of offenders or suspected offenders. What problems can arise because of discretionary power? How can it work to the offender's advantage?

Learning Activity 3 (Objective 1.3)

Small group discussion:

A. The doctrine of parens patriae was originally applied to neglected and abused children. In your opinion, is it appropriate for the state to assume this role with adolescent delinquents?

B. What implications do each of these factors of juvenile delinquency have in the treatment of juvenile offenders? What implications do they have for prevention:
   - Youth
   - Types of offense
   - Gang membership
   - Low socioeconomic status?

Have participants read Handout 9 regarding the prevention of criminal behavior.

Learning Activity 4 (Objective 2.2)

The debate between the classicists and positivists centers around the two questions:
Does punishment serve as a deterrent to crime?
Does rehabilitation result in a responsible citizen?
Have the participants write a short (2-3 pages) position paper defending either the classicist or positivist position, citing information they have gathered from books, newspapers, or magazine articles on the subject. Have them share their opinions in class.

Learning Activity 5 (Objectives 2.3 and 2.4)

Large group discussion:
After reading Handout 6 regarding the case of Gerald Gault, compare his treatment by the juvenile justice system with the rights of the accused covered in section 2.3. Did the Supreme Court respond adequately in assuring the civil rights of accused juveniles?

Learning Activity 6 (Objective 2.5)

In some jurisdictions it has been proposed that a basic victim's bill of rights be established to inform and protect the victims of crime.

A. Have participants write their ideas for a victim's bill of rights on a slip of paper, then share them with the class. Compare the class list with Handout 10.
B. Discuss whether such a bill of rights could ever be enacted or enforced.
C. What would the effect of such measures be on corrections administration and correctional education programs?

Learning Activity 7 (Objectives 3.2 and 3.3)

Large group discussion:
What implications do the demographic characteristics of incarcerated juveniles and adults have on the type of educational program that can be provided? Consider these factors:
- Average age
- Length of stay
- Ethnicity
- Conditions in prison or detention facility
- Local or prison industry.

Learning Activity 8 (Objective 4.1)

Large group discussion:
Before presenting the five types of correctional education programs, ask participants to list the educational needs of offenders, considering their personal, recreational, and vocational needs both while incarcerated and upon leaving the facility. List their ideas on the chalkboard or overhead projector.

The following alternatives may be used by themselves or in conjunction with each other and/or lecture. The alternatives are not meant to be exhaustive. Rather, they are illustrative of the range of instructional formats available. Learning activities on the preceding pages may also be used as alternatives.

Alternative 1: Discussion

Ask participants to discuss the following questions as members of small groups or ask the entire class to participate in a large group discussion of these issues.

1.1 Overview of the Criminal Justice System

After discussing the objectives and pretest results, ask participants to describe their experiences or contact with the CJS. Most participants, as correctional educators, will be familiar with the detention and confinement functions of the CJS. Use **Transparency 2** and **Handouts 3, 4, and 5** to illustrate and discuss the relationship between corrections (a function of the executive branch) and the legislative and judicial components of the CJS.

1.2 The Criminal Justice Process

After discussing the objectives and pretest results, present components of the CJS using **Handouts 3 and 4**. Ask participants to discuss the public's perception of the CJS. Which aspect of the system receives the most attention in the media? Which aspect of the system is least understood by the public?

1.3 The Juvenile Justice System

Comparing **Handouts 3 and 5**, discuss differences in the handling of juvenile and adult offenders. Ask participants to list pros and cons of treating juveniles differently than adults. Should juvenile court judges have broad discretionary powers in dealing with juvenile offenders? If not, what guidelines would they develop for the treatment of juveniles by the CJS?

2.2 Purposes of the Criminal Justice System

Discuss the two major theoretical positions on criminal activity as they relate to the purposes of the CJS. Ask participants which positions most closely approximate their own as taxpayers, parents, or educators.

2.3 Basic Rights

Present the basic protections offered by our constitution and laws. Ask the participants as a group to develop a hierarchy of rights and protections. Which rights are most often challenged by the public when a particularly brutal crime is committed?

2.6 Detention Facilities

Discuss the evolution of detention facilities in the U.S. Ask participants to develop a set of standards that all detention facilities should meet.
Pass out **Handout 11** (the American Correctional Association's Declaration of Principles). Compare the class list of standards with those in the ACA list, especially Article II on programs and services. What place do educational programs have in your facility standards?

3.1 Current Perspectives on the Criminal Justice System

Distribute **Handout 12** on rates of incarceration by state. Ask participants to speculate on why specific jurisdictions have particularly high rates of incarceration. Factors participants should consider include:

ethnic and racial diversity
standards of living
contrast between "haves" and "have nots"
system of justice
relative local concepts of "equality" and "justice"

3.2 and 3.3 Adult Corrections and Juvenile Detention

Using **Transparency 6**, present information comparing adult and juvenile corrections. Ask participants to compare and contrast the two systems. Which characteristics are most disturbing? Which differences between the two systems are most striking?

4.0 Correctional Education Programs

After presenting the information in Section 4.0 on correctional education programs, ask participants to discuss the following questions:

a. Should all individuals in detention or corrections have a right to education? If not, which individuals should receive educational services and which should not?
b. Handicapped persons have the right to education to age 22 under federal and state legislation and regulations. Should handicapped individuals over the age of 22 receive educational services? Why or why not?
c. How should correctional education programs be funded?
d. Should minimal academic or vocational competencies be established for parole or community supervision? Why or why not?
e. How should correctional education programs be organized administratively? Should they be modeled after secondary school programs? Should principals/coordinators of programs be responsible to correctional officers or education administrators at the local or state level?

Alternative 2: Guest Speakers

Arrange to have a correctional officer or administrator, a representative of the juvenile court, and a probation officer discuss their roles and responsibilities within the criminal justice system. Ask guest speakers to discuss their contact and work with professionals in other parts of the system.

Alternative 3: Film

Instead of presenting information on the juvenile justice system by lecture or discussion, show the film "Old Enough to Do Time" (see References and Resources).

Alternative 4: Site Visit

Arrange to have participants visit an educational program in a facility other than the one in which they currently work. In class, ask participants to discuss the range of programs visited and the similarities and differences among them.

Instructors are encouraged to use a variety of teaching strategies and learning activities to present the material. Adult learners are most highly motivated when they have the opportunity to draw on their own background and experiences and contribute to discussion of the topic. As a general procedure, instructors may want to alternate 30 minute periods of lecture and teacher-directed instruction with 30 minutes in which small groups address specific problems or questions. Discussion questions are given in the Learning Activities and Alternatives section.

1.0 INTRODUCTION: Overview of the module and objectives.

The module is comprised of four parts:
(1) Overview of the criminal justice system and process
(2) Historical perspectives of the criminal justice system
(3) Current issues and trends
(4) Education in correctional facilities
The objectives of the training module are listed in Handout 1. A Glossary is provided to help the participant with new or unfamiliar vocabulary used in the module (Handout 2).

1.1 The Criminal Justice System (CJS) is a complex system of agencies and practices designed to apprehend, detain, try, punish, and rehabilitate offenders.

1.1.1 Although the CJS is often viewed as a unitary system, in practice it is many different systems operating in numerous jurisdictions often with different purposes (Transparency 1).

1.1.1.1 One purpose of the CJS is the punishment of offenders and the deterrence of others from criminal behavior. Whether punishment is an effective deterrent to criminal behavior is a controversial issue in criminology.

1.1.1.2 Another purpose of the CJS is to protect society from its dangerous elements.

1.1.1.3 A third purpose of the CJS is rehabilitation of those charged with engaging in criminal acts. Advocates of this approach maintain that individuals with social and vocational skills will be able to choose between competitive employment and criminal activity.

1.1.2 Broadly speaking, responsibility for the CJS involves our three branches of government: the legislative branch that makes the laws, the executive branch that enforces the laws, and the judicial branch that passes judgment on individuals that break the laws (Transparency 2).

1.1.2.1 The legislative branch has the responsibility for
(1) passing laws that define illegal behavior,
(2) setting permissible sentences for violation of the laws, and
(3) appropriating the money available for correctional operations.

1.1.2.2 The executive branch of government approves (or vetoes) the laws passed by the legislators and is responsible for enforcing the laws.

1.1.2.3 The judicial branch of government has three responsibilities:
(1) interpreting the laws brought into question,
(2) ruling on lawsuits involving correctional supervision, and
(3) granting probation.

Optional: Learning Activity 1

1.2 The criminal justice process involves the police, the prosecuting attorney, the courts, and correctional facilities. (Pass out Handout 3.) Terminology and procedures for administration of the CJS vary among states and the federal system. Major differences also exist in the handling of juvenile and adult offenders.

1.2.1 As a component of the CJS, police have responsibility for investigating and apprehending individuals suspected of criminal acts. (Most crime is not responded to by the justice system because it has not been discovered or reported.) Police officers typically wield a large amount of discretion in determining whether to arrest, warn, or investigate those suspected of criminal activity.

1.2.2 After an arrest, law enforcement agencies present information about the accused to the prosecutor who will decide if formal charges will be filed with the court. If no charges are filed, the accused must be released.

1.2.3 Community detention facilities are another component of the CJS. Some individuals charged with violating the law spend time in lockups or jails prior to an initial hearing or trial. Other suspects are released on bail or on their own recognizance. Juveniles may be released to the custody of parents or guardians prior to a hearing.

1.2.4 Diversion from the system frequently occurs for juveniles not having previous contact with the CJS. Juveniles diverted from the CJS to social service agencies often are required to perform restitution or become involved in treatment or rehabilitation.

1.2.5 The prosecuting or state attorney's office is responsible for presenting the court with evidence concerning those suspected of committing a crime.

1.2.5.1 The prosecuting attorney is typically involved during the initial investigation, at pretrial hearings, and during the trial or dispositional hearing if one occurs. (Handout 4 describes the discretionary powers of the prosecuting attorney and other officials in the CJS.)

1.2.5.2 Most cases brought by a prosecutor result in a plea of guilty, many as a result of plea negotiations.

1.2.6 At the preliminary hearing, the severity of the offense, the age of the individual, and other circumstances determine the next step for individuals charged with a crime or involved in criminal activity.

1.2.6.1 If the judge does not find probable cause to believe the accused committed the crime, the case is dismissed.

1.2.6.2 If the judge finds probable cause in the case of felonies, the case may be bound over to a grand jury. The grand jury decides if there is sufficient evidence to bring the accused to trial.

1.2.7 At the arraignment, the accused may pead guilty or nolo contendere (accepts penalty without admitting guilt). If the plea is accepted, no trial is held and the offender is sentenced at this proceeding or at a later date.

1.2.8 A person accused of a serious crime is guaranteed a trial by jury. However, the accused has the right to ask for a bench trial where only the judge decides guilt or innocence. Most cases that go to trial result in a guilty plea or conviction.

1.2.9 Juveniles and adults placed on probation typically have restrictions placed on their activities and are required to maintain contact with a probation officer.

1.2.10 After the trial, a defendant may request appellate review of the conviction or sentence. The right to appeal varies from state to state.

1.2.11 Incarceration involves placing the offender in a detention facility or prison for a specified period of time. Of those arrested, about 10% are eventually incarcerated.

1.2.12 The decision to grant parole is made by a paroling authority, such as a parole board. A frequently neglected aspect of the rehabilitation of offenders is the transition of individuals from detention facilities to the community. Some jurisdictions have developed procedures and systems of half-way houses and links with employers that assist juveniles and adults in making the transition.

(Learning Activity 2)

1.3 The juvenile justice system differs from the treatment of adult offenders because of the differences between the juvenile and adult offender and society's protective attitudes towards youth.

1.3.1 Although similar is some respects, juvenile offenders are different than adult offenders in the type of crimes committed and with whom they are committed.

1.3.1.1 Youths (under age 18) are more likely than older persons to be picked up for property crimes. Over one third of all juvenile offenses involve larceny or burglary (Transparency 3).

1.3.1.2 About the same proportion of each age group is arrested for violent crimes (4%-5%).

1.3.1.3 About 20% of referrals to juvenile court are for status offenses: running away, truancy, curfew violation, possession of liquor, etc.

1.3.1.4 A major difference between juvenile and adult offenders is the importance of gang membership and the tendency of youth to engage in group criminal activity (Transparency 4).

1.3.1.5 Juvenile offenders are similar to adults in that a disproportionate number are:

- male
- Hispanic or black
- economically disadvantaged
- from families with high degrees of conflict and instability

Both groups typically have had interpersonal problems at school or work.

1.3.2 Juvenile offenders typically are handled in a different manner than adult offenders and are processed by a juvenile justice system distinct from the adult system.

1.3.2.1 In contrast to the treatment of adults, the juvenile justice system typically assumes the role of "parens patriae" and attempts to act as guardian in the rehabilitation of juvenile delinquents.

Optional: Learning Activity 3

1.3.2.2 A primary focus of the juvenile justice system is rehabilitation and protection of youth from publicity, the trauma of harsh sentences, and the negative consequences of contact with adult offenders.

1.3.2.3 Juvenile court judges have much broader discretionary powers in juvenile courts than in adult courts and are more actively involved in promoting rehabilitation rather than punishment.

1.3.2.4 While adults may begin the criminal justice process only through arrest, summons, or citation, juveniles may be referred to the court by parents, school, or other sources (Discuss Handout 5).

1.3.2.5 The juvenile and adult systems use different terminology to describe procedures and components (Transparency 5). The adult system uses terms like complaint, warrant, arraignment, trial, guilt, and sentencing. Corresponding terms in the juvenile system are petition, summons, detention hearing, adjudication hearing, involvement, and dispositional hearing. (The Glossary in Handout 2 may be useful here.)

2.0 HISTORICAL PERSPECTIVES ON THE CJS

2.1 The CJS in the U.S. has evolved during the past 300 years from practices rooted in colonial times and English Common Law. (See discussion strategies in Learning Alternatives section.)

2.2 Two theoretical positions on criminal behavior in relation to society have shaped and continue to shape the purposes and activities of the CJS.

2.2.1 The classical position, with its roots in 18th century French philosophy, maintains individuals possess free will and, as members of the state, enter into a contract that involves assuming responsibility for their own behavior. The classical position emphasizes punishment as a deterrent to criminal behavior.

2.2.2 The positivist position, with its roots in 19th century intellectual thought, maintains that environmental, biological, and cultural influences determine an individual's behavior. The positivist position emphasizes rehabilitation (or punishment) based on individual needs and characteristics.

Optional: Learning Activity 4

2.3 Laws governing the arrest, detention, and confinement of individuals in the United States afford certain protections:

2.3.1 Individuals have the right to legal counsel.

2.3.2 Individuals have the right to know the nature of the offenses they are accused of committing.

2.3.3 Individuals have the right to a speedy and public trial.

2.3.4 Individuals cannot be charged excessive bail except in those instances where an individual is likely to flee to escape prosecution.

2.3.5 Individuals cannot be required to incriminate or testify against themselves.

2.3.6 Individuals cannot be subject to cruel and unusual punishment.

2.4 Laws governing the treatment of juveniles suspected of violating the law have evolved during the past 100 years in the U.S.

2.4.1 The historical differences in the handling of juvenile offenders can be traced to the establishment of the first juvenile courts in Illinois in 1899.

2.4.2 Although various jurisdictions have different procedures and safeguards for juveniles, a few specific principles or rights are common to most states.

2.4.3 In 1967, the Supreme Court recognized that juveniles are entitled to the same due process safeguards as adults. (Refer to Handout 6 regarding the case of in re Gault.) Prior to this ruling, juveniles did not have the same rights as adults when charged with delinquent acts (Learning Activity 5).

2.4.4 During the last few years there has been a trend toward treating juveniles suspected of committing serious offenses -- such as rape, murder, and aggravated assault -- as adults. (Handout 7 discusses the prosecution of juvenile offenders as adults.)

2.4.4.1 States have different policies and procedures for allowing juveniles to be tried as adults.

2.4.4.2 Juveniles tried as adults have a very high conviction rate, but most receive sentences, fines, or probation.

2.5 Victim's rights have influenced the purpose and actions of the CJS in recent years. While the 1960s and 1970s saw an expansion of the rights of individuals accused and convicted of crimes, the 1980s have witnessed an emphasis on the victims of criminal behavior. (Discuss Handout 8.)

Optional: Learning Activity 6

2.6 **Detention facilities** in the U.S. have evolved in terms of their purposes and the individuals they house. (See discussion strategies in Learning Activities section.)

2.6.1 Until the late 18th century, local jails housed all individuals awaiting trial and serving time.

2.6.2 **Prisons** and **penitentiaries** developed during the 19th century and housed individuals for longer periods of time. In contrast to local jails, prisons came under the jurisdiction of federal and state authorities.

2.6.3 Today, local detention facilities include **lockup** for periods of less than 48 hours and **jails** for longer periods of time.

2.6.4 In many jurisdictions, juveniles are routinely held in jails with adult prisoners.

2.6.5 The first **training school** for juvenile offenders was established in Massachusetts in 1846. Currently, detention facilities for juveniles include special treatment centers, diagnostic centers, group homes, ranches, and training schools.

2.6.6 Detention facilities for adults have evolved into a system that includes **minimum**, **medium**, and **maximum security prisons**, special treatment centers, and half-way houses.

3.0 CURRENT TRENDS IN THE CJS

3.1 **Number incarcerated**: The United States has one of the highest rates of incarceration in the world. Only South Africa and the Soviet Union have greater percentages of their population in jails and prisons than the United States.

3.1.1 At the present time, over 500,000 criminal offenders are housed in state and federal detention facilities and local jails (**Transparency 6**).

3.1.2 Of this 500,000, approximately 72,000 are incarcerated in juvenile detention facilities.

3.1.3 In addition to those who are incarcerated, nearly 2 million individuals are under some form of community supervision such as probation or parole.

3.1.4 Nationally, the District of Columbia and Nevada have the highest rates of incarceration. New Hampshire and North Dakota have the lowest rates of incarceration. (See discussion strategies in Learning Activities section.)

3.2 **Adult correctional facilities**: Nearly 3,500 local jails in the U.S. house suspects and offenders for short periods of time (Transparency 6). In addition, there are 592 state and 45 federal prisons.

3.2.1 The average age of inmates in federal prisons is 32, and in state prisons 28.

3.2.2 The average length of stay is 25 months.

3.2.3 Nationally there are 13% more prisoners than there are prison beds.

3.2.3.1 In 1983, over 11,000 inmates were held in local jails because of **overcrowding** in prisons.

3.2.3.2 In 1984, 31 correctional agencies were under court orders related to "conditions of confinement" because of overcrowding and similar problems.

3.2.4 The **hourly wage paid** be prison industries in the U.S. in 1983 ranged from a low of 4 cents to a high of 54 cents. The average wage was 20 cents per hour.

3.2.5 The average **cost per inmate** per year in the U.S. in 1983 was $16,245. The highest cost per inmate per year was in Alaska ($36,500) and the lowest was Texas ($7,000).

3.2.6 In 1983, 216 adults died in state or federal prisons as a result of **suicide** or **homicide**.

3.3 **Juvenile detention**: Juveniles are detained in a range of public and private facilities including special treatment centers, diagnostic centers, group homes, ranches, and training schools.

3.3.1 About half of the juveniles in custody are confined in detention centers or training schools with physically restrictive security.

3.3.2 In recent years, there has been a move toward **community based** detention of juveniles. There are over 650 less restrictive juvenile detention facilities in the U.S. Most of these institutions are group homes.

3.3.3 The average **length of stay** for juveniles released in 1983 was 11 months.

3.3.4 In 1983 the average **cost per juvenile** for all forms of care and supervision in the U.S. was $23,400 per year.

3.3.5 In a number of states, juvenile services are provided by the state under **contractual arrangements** with private agencies.

3.3.6 Juveniles in detention are much more likely to receive educational, recreational, and social services than their counterparts in adult correctional facilities.

3.3.7 In 1983, 15 juveniles in detention in the U.S. died as a result of **suicide** or **homicide**.

Optional: **Learning Activity 7**

4.0 CORRECTIONAL EDUCATION PROGRAMS

4.1 Correctional education programs exist in most prisons and detention facilities in the U.S., though the quality and availability varies among jurisdictions. Educational programs are infrequently available in jails and short-term detention facilities.

4.1.1 Approximately 92% of all juveniles incarcerated in state detention facilities are enrolled in correctional education programs.

4.1.2 Approximately 30% of adults in state correctional facilities are enrolled in correctional education programs.

Option: **Learning Activity 8**

4.1.2 Basically, there are five different types of correctional education programs:

- Adult Basic Education (ABE)
- Graduate Equivalency Degree (GED)
- Vocational Education (Voc-Ed)
- Post-Secondary Education
- Special Education

4.2 **Adult Basic Education (ABE)** and similar programs are designed to provide basic skills in reading, mathematics, and spelling. The term ABE is used most often to refer to basic skills programs in adult correctional facilities.

4.2.1 In large juvenile detention facilities, curricula resemble traditional high school offerings. In smaller juvenile detention facilities, the program is similar to many alternative educational programs with a strong emphasis on individualized instruction.

4.2.2 Educational services are mandated for juveniles in most states. ABE programs are available to adults in most correctional facilities. In a few states, ABE is mandated for adults with skills below a certain achievement level.

4.3 **Graduate Equivalency Degree (GED)** programs are designed to prepare students to successfully pass the GED exam. A GED certificate indicates that an individual has mastered the skills necessary for graduation from high school.

4.3.1 GED curriculum includes coursework in language arts, social studies, mathematics, and related high school subject areas.

4.3.2 Traditionally, many correctional education programs were evaluated on the number of GED certificates earned by students in their programs.

4.4 **Vocational Education (Voc-Ed)** programs in correctional facilities include a wide range of programs, though specific skills taught in any given institution may be quite limited.

4.4.1 Vocational training is needed by many incarcerated persons. About 25% of jail inmates had no source of income before being incarcerated except welfare, social security, or unemployment benefits. The average inmate lives at the poverty level before entering jail.

4.4.2 Admission to vocational education programs often requires minimum competency in reading and mathematics.

4.4.3 Some Voc-Ed programs have been criticized (1) for teaching nonfunctional skills or (2) for teaching skills but not providing opportunity to practice skills at the conclusion of training.

4.4.4 Recently, Voc-Ed programs in a few institutions have established cooperative training agreements with industries. These arrangements ensure that individuals who successfully complete training while incarcerated have jobs when they reenter the community.

4.5 **Post-Secondary Education** programs are available in some adult correctional facilities.

4.5.1 These programs often involve cooperative relationships with community colleges and four-year institutions. Students enrolled in these programs have the opportunity to earn A.A., B.A., and B.S. degrees.

4.5.2 Courses of study in post-secondary education programs are usually limited to the liberal arts, humanities, and business.

4.6 **Special Education** is a relatively new area in correctional education. (Module #3 presents an overview of special education.)

4.6.1 Approximately 80% of the 9,400 handicapped juvenile offenders receive special education services (**Transparency 7**).

4.6.2 Only about 10% of the estimated 41,590 adult handicapped offenders are currently receiving special education services (**Transparency 8**).

4.6.3 The skill deficits of juveniles and adults in ABE and special education programs are very similar.

4.6.4 Effective special education programs focus on skill development rather than ability training.

The annotated list of reference materials that follows can be used by instructors or participants interested in learning about the Criminal Justice System and juvenile justice programs.

Film

"Old Enough to Do Time"
WNET Thirteen Distribution and Sales, 356 West 58th Street, New York, NY 10019. (Rental fee: $65/day on 3/4" videocassette. Purchase price: $385 on any video format.)

This 60-minute film is an in-depth examination of juvenile justice policies in the United States. The film includes discussion with juvenile justice professionals in a number of states.

Books

Carter, R. M., Glaser, D., & Wilkins, L. T. (Eds.). (1985). Correctional institutions (3rd ed.). New York: Harper & Row.

This edited work covers a range of issues in contemporary corrections. Major topics include social context, programs in correctional institutions, and reintegration into the community.

Coates, R. B., Miller, A. D., & Ohlin, L. E. (1978). Diversity in a youth correctional system: Handling delinquents in Massachusetts. Cambridge, MA: Ballinger.

This book describes the impact of deinstitutionalization of juvenile corrections in Massachusetts in the 1970s. The book reports on policy issues concerning the quality of life within programs and the reintegration of juvenile offenders into the system.

Cox, S. M., & Conrad, J. J. (1978). Juvenile justice: A guide to practice and theory. Dubuque, IA: Wm. C. Brown.

This text provides an overview of the juvenile justice system in the United States. Topics include juvenile court procedures, theories of delinquency, and juvenile corrections.

Eldefonso, E., & Hartinger, W. (1976). Control, treatment, and rehabilitation of juvenile offenders. Beverly Hills, CA: Glencoe Press.

This introductory text covers a range of topics including juvenile courts, detention, characteristics of offenders, and aftercare.

Snarr, R. W., & Wolford, B. I. (1985). Introduction to corrections. Dubuque, IA: Wm. C. Brown.

This text provides an excellent overview of corrections including community-based programs and probation. Much of the information presented in this module was obtained from this text.

U.S. Department of Justice. (1983). Report to the nation on crime and justice: The data. Washington, DC: Bureau of Justice Statistics.

This 108-page report brings together data from the Bureau's own reports, the FBI Uniform Crime Reports, the Bureau of Census, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and many other research and reference sources. It contains many excellent charts and graphs, has a non-technical format, and is very readable.

Purposes of the CJS

Punishment

Protection

Rehabilitation

Legislative

Defining illegal behavior

Setting permissible sentences

Appropriating money

Executive

Approving laws

Enforcing laws

Judicial

Interpreting laws

Ruling on lawsuits

Granting probation

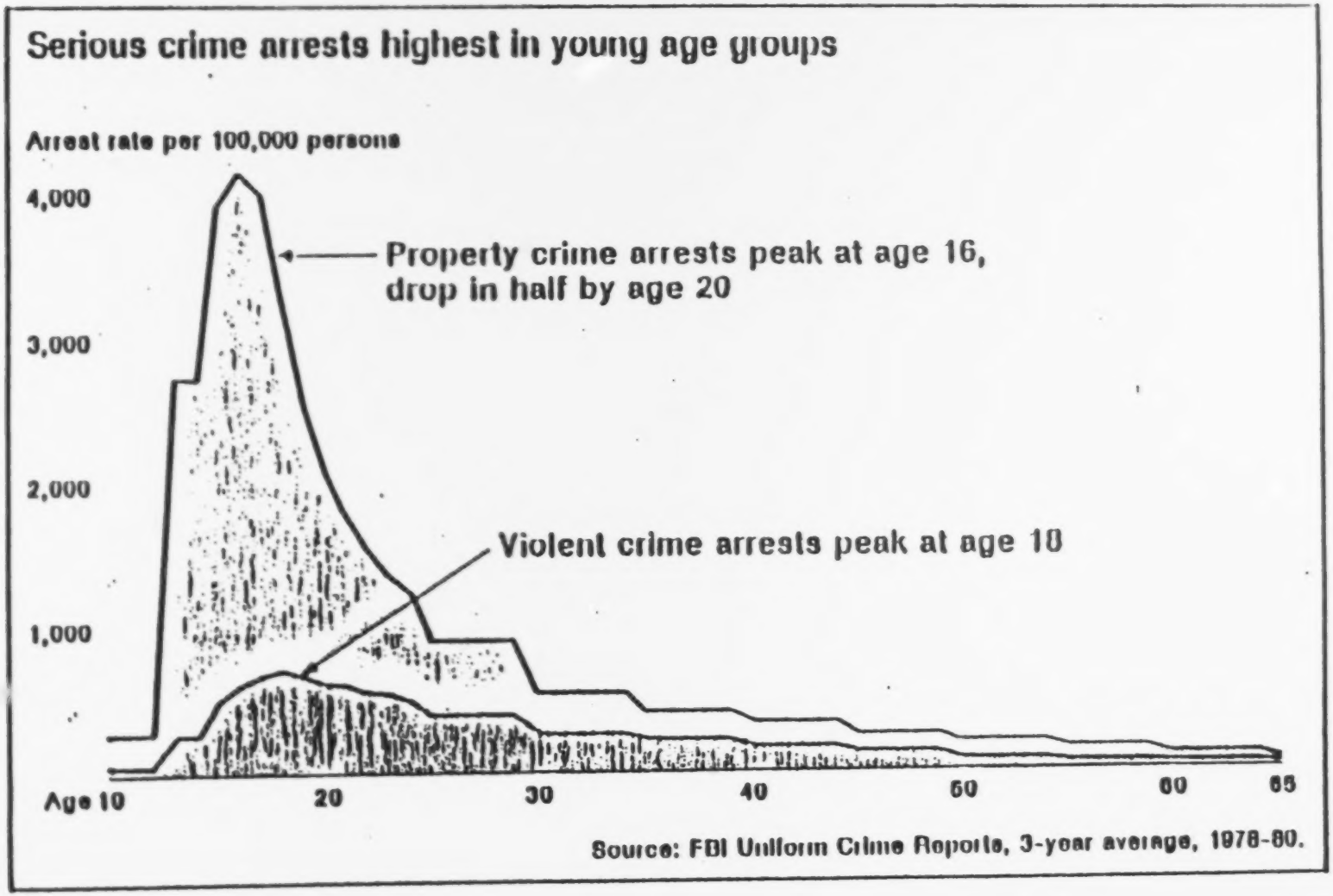

Serious crime arrests highest in young age groups
Arrest rate per 100,000 persons
4,000
3,000
2,000
1,000
Property crime arrests peak at age 16, drop in half by age 20
Violent crime arrests peak at age 18
Age 10
20
30
40
50
60
65
Source: FBI Uniform Crime Reports, 3-year average, 1978-80.

FIGURE 1
Percentage of Lone and Group Offenders Among Offenders Brought to the Juvenile Court

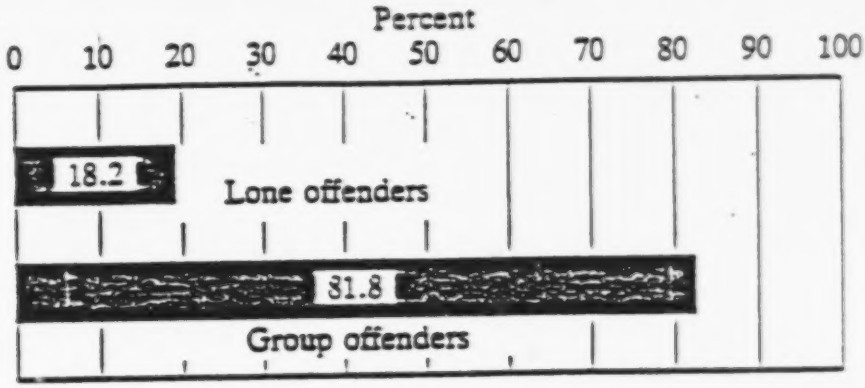
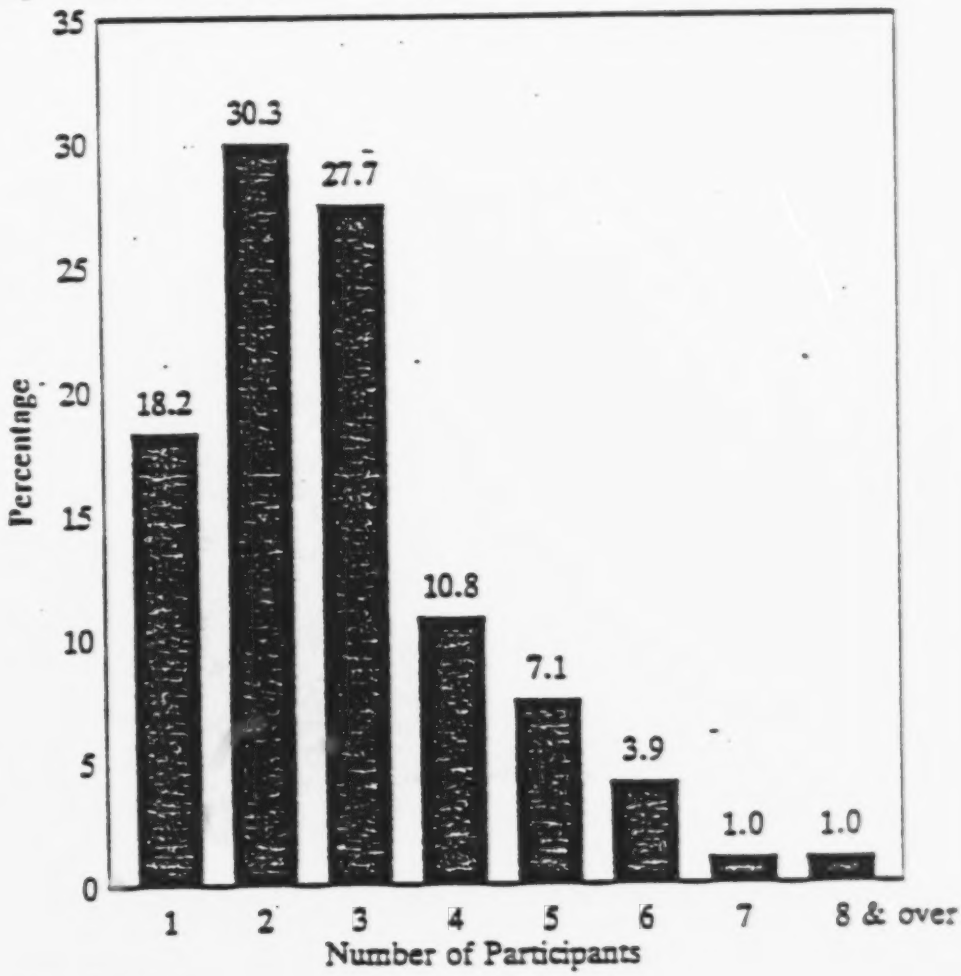


FIGURE 2
Percentage Distribution of Offenders Brought to Court by Number of Participants



Source: Shaw & McKay.

Terminology

Juvenile	Adult
Petition	Complaint
Summons	Warrant
Detention hearing	Arraignment
Adjudication hearing	Trial
Involvement	Guilt
Dispositional hearing	Sentencing

Incarceration

	Adults	Juveniles
Number incarcerated	428,000	72,000
No. of facilities	4,137	2,576
Average age	28	(under 18)
Average stay	25 mos.	11 mos.
Cost per inmate per year	$16,245	$23,400
Deaths	216	15

C/SET

SPECIAL EDUCATION IN JUVENILE CORRECTIONS

INCARCERATED JUVENILES	33,190
JUVENILES IN CORRECTIONAL EDUCATION PROGRAMS	30,681
ESTIMATED HANDICAPPED JUVENILE OFFENDERS	9,443
HANDICAPPED JUVENILE OFFENDERS CURRENTLY SERVED	7,570
ESTIMATED HANDICAPPED JUVENILE OFFENDERS CURRENTLY SERVED	80%
STATES RECEIVING P.L. 94-142 MONIES	34

C/SET

SPECIAL EDUCATION IN ADULT CORRECTIONS

INCARCERATED ADULTS	399,636
ADULTS IN CORRECTIONAL EDUCATION PROGRAMS	118,158
ESTIMATED HANDICAPPED ADULT OFFENDERS	41,590
HANDICAPPED ADULT OFFENDERS CURRENTLY SERVED	4,313
ESTIMATED HANDICAPPED ADULT OFFENDERS CURRENTLY SERVED	10%
STATES RECEIVING P.L. 94-142 MONIES	17

TRAINING OBJECTIVES

Upon completion of Module #1, the participant will be able to describe major functions of the criminal justice system, differences in the treatment of juvenile and adult offenders, and the major types of correctional education programs.

Correctional educators need to have a basic understanding of the criminal justice system in order to understand the out-of-classroom experiences of the incarcerated students they teach. Basic knowledge of the criminal justice system will assist correctional educators in working with correctional officers, the courts, parole and probation officers, and other professionals in the system.

1.0 The criminal justice system and process

After completion of this module, the participant will be able to:

1.1 State the three purposes of the criminal justice system.

1.2 Describe the criminal justice process through the stages of arrest, prosecution, incarceration, and release.

1.3 Describe the differences in the juvenile justice system, both in terms of the type of offender and the different manner in which they are processed through the system.

2.0 Historical perspectives on the criminal justice system

2.1 Identify the roots of contemporary justice practices.

2.2 State the consequences emphasized in each of two philosophical positions regarding criminal behavior.

2.3 Identify laws governing the protection of individuals subject to arrest, detention, and confinement.

2.4 Briefly state the Supreme Court's ruling in regard to juvenile offenders (In re Gault, 1967).

2.5 State which public issue currently influences the purposes and actions of the criminal justice system.

2.6 Describe the differences between jails, lock-ups, and prisons.

H-1 (P. 1)

3.0 Current perspectives on the criminal justice system

3.1 State the approximate number of offenders housed in detention facilities and under supervision in the community.

3.2 Identify correct facts regarding conditions in adult correctional facilities.

3.3 Identify correct facts regarding juvenile detention facilities.

4.0 Correctional education programs

4.1 State the proportion of incarcerated juveniles and adults receiving educational services.

4.2 Describe the curricular emphasis in Adult Basic Education.

4.3 State what is indicated by attainment of a GED certificate.

4.4 Identify two criticisms of Vocational Education programs in correctional institutions.

4.5 Identify the courses of study usually offered in Post Secondary Education programs.

4.6 State the proportion of handicapped juveniles and adult offenders receiving special education services.

H-2 (P. 1)

Glossary

Adjudication The judgment made by the court in the case of juveniles. Juvenile offenders are "adjudicated" to be "delinquent" rather than found guilty of a crime.

Arraignment The hearing or court appearance at which the accused is formally charged, advised of the rights of criminal defendants, and asked to enter a plea to the charges (guilty, not guilty, or nolo contendere -- accepting penalty without admitting guilt). If the accused pleads guilty or nolo contendere, the offender also may be sentenced at that time.

Assault Unlawful intentional inflicting, or attempted inflicting, of injury upon another person. Aggravated assault is the unlawful intentional inflicting of serious bodily injury or unlawful threat or attempt to inflict bodily injury or death by means of a deadly or dangerous weapon.

Bail Anyone of a number of mechanisms for pre-trial release from detention of accused individuals.

Burglary Unlawful entry of any residence, industry, or business, with or without force, with the intent to commit a felony or

Community-based Any and all activities involving the community in efforts to reintegrate offenders.

Corrections The systematic and organized efforts directed by a society which attempts to punish offenders, protect the public from offenders, change offender behavior, and compensate victims.

Deterrence The effect that the threat of punishment has in inducing citizens to refrain from illegal activity.

Discretion Latitude of free choice within certain legal bounds or decisions made that are not generally open to reexamination by others.

Disposition Determination of a juvenile offender's status, given instead of a sentence and extending until the juvenile becomes an adult or until the offending behavior has been corrected.

Due process A fundamental idea wherein a person should not be deprived of life, liberty, or property without legal procedures that are fair and reasonable.

Felony A serious crime, such as armed robbery, assault, or murder, with punishment ranging from incarceration for one year or more through a death sentence.

Fines An penalty that requires the offender to pay a specific sum of money within the limit set by law. Fines are often imposed in addition to probation or as an alternative to incarceration.

Homicide Causing the death of another without legal justification or excuse.

Incarceration Detention of a person in jail or prison. In many states, convicted offenders sentenced to less than 1 year are held in a local jail; those sentenced to longer terms are committed to the state prison.

Intake A procedure among juvenile courts where officials evaluate social histories of accused offenders to decide whether or not to refer cases to court.

Involvement The term used in the juvenile justice system rather than guilt to describe the judgment on the youth's participation in unlawful activity.

Jail A confinement facility under local authority to hold individuals for periods in excess of 48 hours.

Juvenile justice system Various laws and courts established to have jurisdictional authority over younger persons, usually specified as under the age of 18. This system is concerned with violation of criminal law by juveniles, status offenses, and dependent and neglected children.

Larceny Unlawful taking or attempted taking of property (other than a motor vehicle) from the possession of another, by stealth, without force and without deceit, with the intent to permanently deprive the owner of the property.

Lockup A temporary holding facility which by law or practice can incarcerate an individual for less than 48 hours.

Misdemeanor Considered a less serious violation of the criminal law, commonly penalized by a fine and/or short jail sentence.

Parens patriae A doctrine from English law in which the state assumed authority and responsibility to oversee neglected and abused children. In the United States this doctrine was extended to also include delinquent children with the establishment of juvenile courts beginning in 1899.

Parole The conditional release of an adult from incarceration in a correctional institution after having served less than a full sentence, and placement under the supervision of a correctional agency empowered with the authority to reincarcerate the individual if the conditions of parole have been violated.

Petition A means of referral to the juvenile justice system whereby a complaint is made to authorities concerning the youth.

Prisons Large facilities operated by a state or federal government to hold persons sentenced under state or federal laws to terms of confinement of more than one year.

H-2 (p. 2)

Probation A sentencing alternative in which incarceration is avoided and the offender remains in the community under the supervision of a probation officer.

Prosecutor/Prosecuting Attorney The state or local official who represents the citizens of the community in matters of criminal law. The prosecutor coordinates the government's response to crime by pressing charges, presenting the case against the accused at the trial, and sometimes making sentence recommendations.

Rehabilitation Removing or remediating presumed causes of crime by providing economic, psychological, or socialization assistance to offenders to reduce the likelihood of continuing in crime.

Robbery Unlawful taking or attempted taking of property that is in the immediate possession of another by force or threat of force.

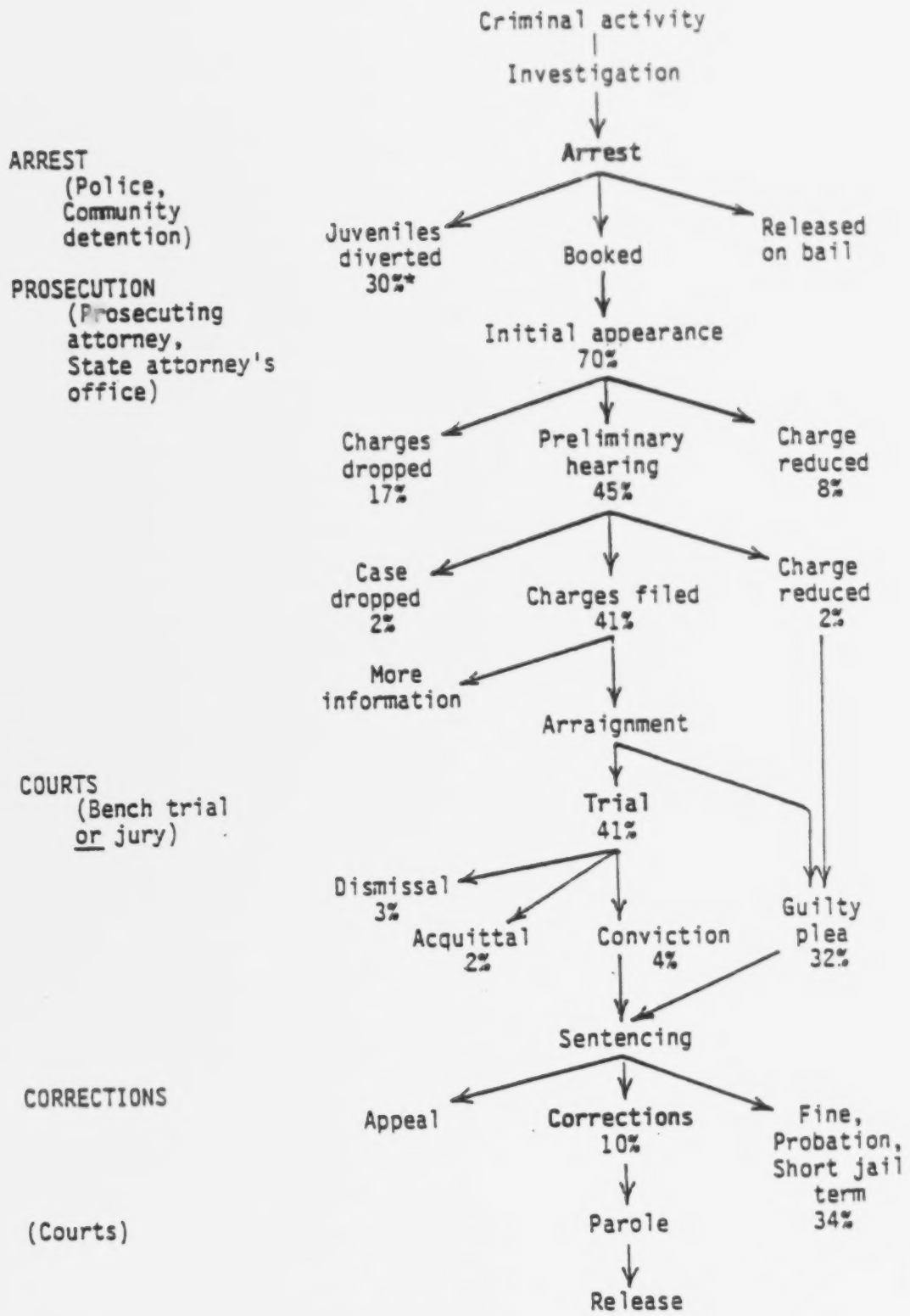
Sentencing The process of placing an authorized judicial penalty on a person who pleads guilty or is convicted of a crime. Sentencing decisions have direct implications for corrections.

Status offense Noncriminal behavior such as truancy and running away from home, which is in violation of law applicable only to juveniles (usually through age 17).

Summons The term used in the juvenile justice system rather than warrant to signify authorization for a juvenile to be taken into custody or brought before the court.

Warrant A document issued by a magistrate authorizing an officer to make an arrest, seize property, make a search, or carry out a judgment.

Overview of the Criminal Justice System



*Percentages are percent of those arrested.

Multiple Discretions in Sentencing

The best single phrase to describe the allocation of sentencing power in state and federal criminal justice is multiple discretion. Putting aside the enormous power of the police to decide whether to arrest, and to select initial charges, there are four separate institutions that have the power to determine criminal sentences—the legislature, the prosecutor, the judge, and the parole board or its equivalent.

The *legislature* sets the range of sentences legally authorized after conviction for a particular criminal charge. Criminal law in the United States is noted for extremely wide ranges of sentencing power, delegated by legislation to discretionary agents, with extremely high maximum penalties and very few limits on how much less than the maximum can be imposed. In practice, then, most legislatures delegate their sentencing powers to other institutions. For example, second degree murder in Pennsylvania, prior to 1973, was punishable by "not more than 20 years" in the state penitentiary.[2] Any sentence above 20 years could not be imposed; any sentence below 20 years—including probation—was within the power of the sentencing judge.

The *prosecutor* is not normally thought of as an official who has, or exercises, the power to determine punishment. In practice, however, the prosecutor is the most important institutional determinant of a criminal sentence. He has the legal authority to drop criminal charges, thus ending the possibility of punishment. He has the legal authority in most systems to determine the specific offense for which a person is to be prosecuted, and this ability to select a charge can also broaden or narrow the range of sentences that can be imposed upon conviction. In congested urban court systems (and elsewhere) he has the absolute power to reduce charges in exchange for guilty pleas and to recommend particular sentences to the court as part of a "plea bargain"; rarely will his recommendation for a lenient sentence be refused in an adversary system in which he is supposed to represent the punitive interests of the state.

The *judge* has the power to select a sentence from the wide range made available by the legislature for any charge that produces a conviction. His powers are discretionary—within this range of legally authorized sanctions his selection cannot be appealed, and is not reviewed. Thus, under the Pennsylvania system we studied, a defendant convicted of second degree murder can be sentenced to probation, one year in the penitentiary or 20 years. On occasion, the legislature will provide a mandatory minimum sentence, such as life imprisonment for first degree murder, that reduces the judge's options once a defendant has been convicted of that particular offense. In such cases the prosecutor and judge retain the option to charge or convict a defendant for a lesser offense in order to retain their discretionary power.[3] More often the judge has a wide range of sentencing choices and, influenced by the prosecutor's recommendation, will select either a single sentence (e.g., two years) or a minimum and maximum sentence (e.g., not less than two nor more than five years) for a particular offender.

The *parole* or *correctional authority* normally has the power to modify judicial sentences to a considerable degree. When the judge pronounces a single sentence, such as two years, usually legislation authorizes release from prison to parole after a specified proportion of the sentence has been served. When the judge has provided for a minimum and maximum sentence, such as two to five years, the relative power of the correctional or parole authority is increased, because it has the responsibility to determine at what point in a prison sentence the offender is to be released. The parole board's decision is a discretionary one, traditionally made without guidelines or principles of decision.

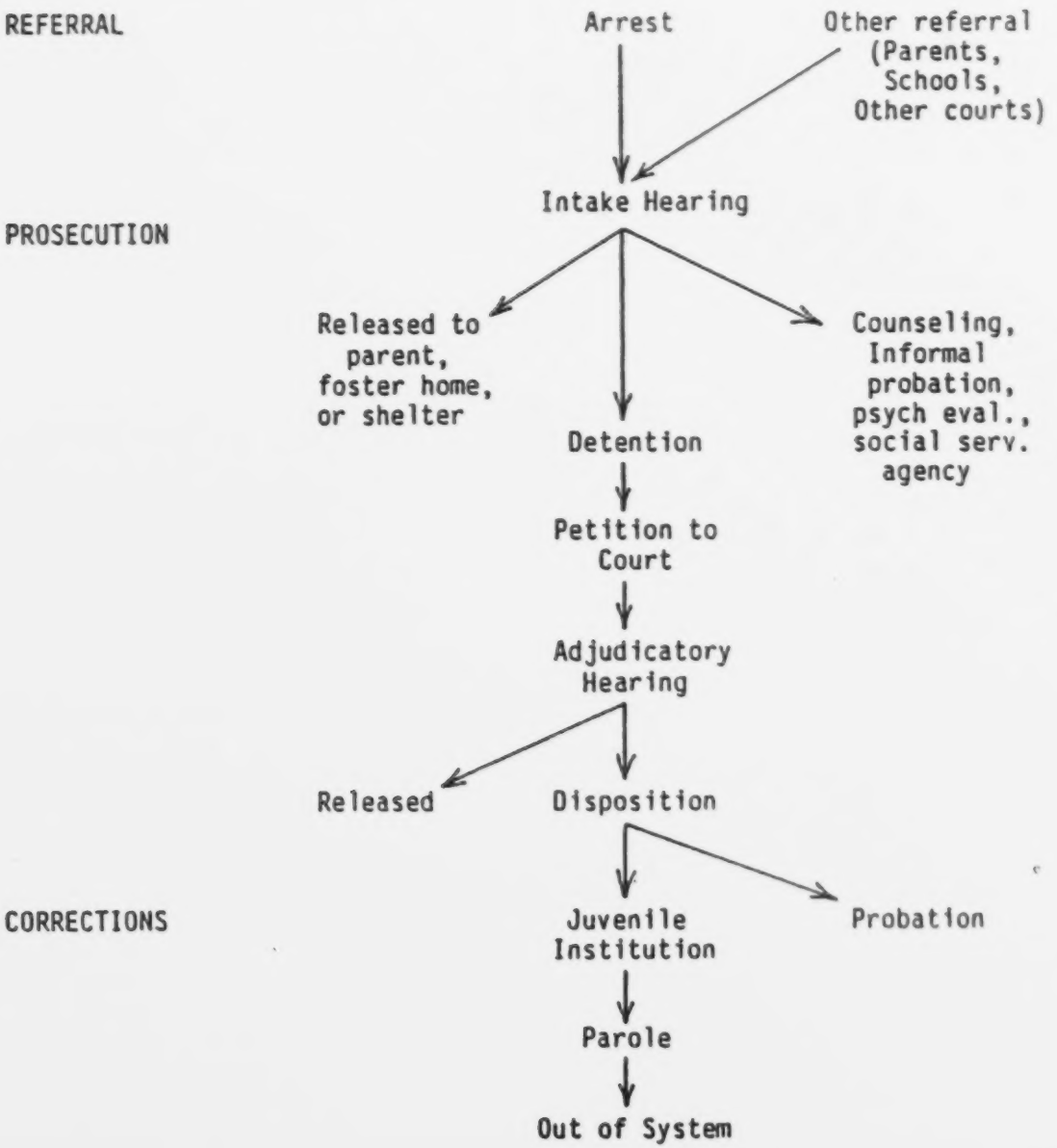
This outline of our present sentencing system necessarily misses the range of variation among jurisdictions in the fifty states and the federal system, and oversimplifies the complex interplay among institutions in each system. It is useful, however, as a context in which to consider specific proposed reforms; it also helps to explain why the labyrinthine status quo has few articulate defenders. With all our emphasis on due process in the determination of guilt, our machinery for setting punishment lacks any principle except unguided discretion. Plea bargaining, disparity of treatment and uncertainty are all symptoms of a larger malaise—the absence of rules or even guidelines in determining the distribution of punishments. Other societies, less committed to the rule of law, or less infested with crime, might suffer such a system. Powerful voices are beginning to tell us we cannot.

From Zimring, F. E. (1984). Making the punishment fit the crime: A consumer's guide to sentencing reform. In G. Hawkins & F. E. Zimring (Eds.), The pursuit of criminal justice, pp. 267-275. Chicago: University of Chicago Press.

H-4 (P. 2)

H-5

Overview of the Juvenile Justice System



The Case of *in re* Gault

In 1967, one of the most significant cases affecting juvenile justice was brought before the United States Supreme Court. Gerald Gault, age 15, was adjudicated a juvenile delinquent, charged with making an obscene phone call. He was committed to the State Industrial School until he reached twenty-one, a sentence of six years. Interestingly, the maximum penalty if Gerald had been eighteen or older would have been a fine of $5 to $50 or a jail term of no more than two months.

The adjudicatory hearing had been completely informal. No notice of charges were given, Gerald did not have legal counsel, and none of the testimony was sworn. Yet, Gerald was adjudicated a delinquent and sentenced to an institution for six years.

Upon reviewing the case, the Supreme Court ruled in favor of Gault and outlined due process procedural requirements considered essential for adjudicatory hearings. The procedures enumerated were the following:

1. The child and parents must be given a written notice of charges.
2. The child and parents have the right to be represented by counsel.
3. The child has the right to remain silent under provision of the freedom from self-incrimination clause of the Fifth Amendment.
4. The child has a right to confront and cross-examine any witnesses against him.

This case, with others that followed, instigated great change in juvenile courts. In some juristictions rights accorded juveniles were even expanded beyond those contained in the *Gault* decision. The result was a juvenile court that operated with increased procedural fairness, which is consistent with the longstanding philosophy of the juvenile courts to act in the best interests of the child. However, compliance with *Gault* and other cases has not been achieved in all juristictions.

(From Snarr, R. W. & Wolford, B. I. (1985). *Introduction to Corrections*. Dubuque, IA: Wm. C. Brown, Publishers, pp. 87-88.)

Under certain circumstances, juveniles may be tried in criminal courts

Age at which criminal courts gain jurisdiction of young offenders ranges from 16 to 18 years old

Age of offender when under criminal court jurisdiction

16	17	18		
Connecticut	Georgia	Alabama	Kansas	Oklahoma
New York	Illinois	Alaska	Kentucky	Oregon
North Carolina	Louisiana	Arizona	Maine	Pennsylvania
Vermont	Massachusetts	Arkansas	Maryland	Rhode Island
	Michigan	California	Minnesota	South Dakota
	Missouri	Colorado	Mississippi	Tennessee
	South Carolina	Delaware	Montana	Utah
	Texas	District of Columbia	Nebraska	Virginia
		Florida	Nevada	Washington
		Hawaii	New Hampshire	West Virginia
		Idaho	New Jersey	Wisconsin
		Indiana	New Mexico	Wyoming
		Iowa	North Dakota	Federal districts
			Ohio	

Source: *Youth in adult courts*, Hamparian, et al., 1982.

All States allow juveniles to be tried as adults in criminal courts

Juveniles are referred to criminal courts in one of three ways—

- Judicial waiver—the juvenile court waives its jurisdiction and transfers the case to criminal court (the procedure is also known as "binding over" or "certifying" juvenile cases to criminal courts)
- Concurrent jurisdiction—the prosecutor has the discretion of filing charges for certain offenses in either juvenile or criminal courts
- Excluded offenses—the legislature excludes from juvenile court jurisdiction certain offenses, usually either very minor, such as traffic or fishing violations, or very serious, such as murder or rape.

Thirteen States authorize prosecutors to file cases in either the juvenile or criminal courts at their discretion

This procedure, known as concurrent jurisdiction, may be limited to certain offenses or to juveniles of a certain age. Eight of the 13 States provide concurrent jurisdiction options in the trial of youth for serious crimes.

46 States, the District of Columbia, and the Federal Government have judicial waiver provisions

Youngest age at which juvenile may be transferred to criminal court by judicial waiver

No specific age	10	13	14	15	16
Alaska	South Dakota	Georgia	Alabama	District of Columbia	California
Arizona		Illinois	Colorado	Idaho	Hawaii
Florida		Mississippi	Connecticut	Louisiana	Kansas
Maine			Delaware	Maryland	Kentucky
New Hampshire			Indiana	Michigan	Montana
Oklahoma			Iowa	New Mexico	Nevada
South Carolina			Massachusetts	Ohio	North Dakota
Washington			Minnesota	Tennessee	Oregon
West Virginia			Missouri	Texas	Rhode Island
Wyoming			New Jersey	Virginia	Wisconsin
Federal districts			North Carolina		
			Pennsylvania		
			Utah		

Note: Many judicial waiver statutes also specify specific offenses that are waivable. This chart lists the States by the youngest age for which judicial waiver may be sought without regard to offense.

Source: *Youth in adult courts*, Hamparian, et al., 1982.

As of 1978, 31 States excluded certain offenses from juvenile court jurisdictions

Twenty States excluded only traffic, watercraft, fish, or game violations. The other 11 States excluded serious offenses; 8 also excluded some minor offenses. In Delaware, Indiana, Nevada, and Pennsylvania, persons of any age charged with a capital offense are prosecuted in adult courts.

About 11,000 juveniles were referred to criminal courts in 1978

Hamparian found that most juveniles tried in criminal courts were age 17 and were charged with property offenses. She also found that violent offenses were involved in less than a fourth of the judicial waivers or concurrent jurisdiction filings. Almost all juveniles charged under excluded-offense laws were charged with crimes against people because few other serious crimes are covered by those laws.

Juveniles tried as adults have a very high conviction rate, but most receive sentences of probation or fines

More than 90% of the judicial waiver or concurrent jurisdiction cases in Hamparian's study resulted in guilty verdicts, and more than half the convictions led to fines or probation. However, juveniles convicted under excluded-offense laws were more likely to be institutionalized. Among the juveniles sentenced to incarceration, about 14% received sentences that could have lasted, under the most severe circumstances, 10 or more years. However, those incarcerated generally received longer sentences than they would have received under a juvenile disposition. However, most youths, like adults, are released from confinement before serving their maximum sentences.

(1983). *Report to the Nation on Crime and Justice* 61
U.S. Department of Justice, Bureau of Justice Statistics

"This is normal," says Mary Jordan of her 38, the attack Doberman named Baron, bullet-proof glass, barred windows and three alarm systems. Jordan's Tucson pharmacy has been hit by 12 burglaries and four armed robberies in 13 years. Accompanied by an advocate, Jordan, 45, was in court in February to see her most recent attacker plead guilty—the first time any of her assailants has faced trial.

GROWING NATIONAL COMPASSION

Until quite recently, victims, except as they were needed to nail down cases against the guilty, didn't matter much in the criminal justice system. "It wasn't until I had to deal with victims on a day-to-day basis that I realized how terribly they were treated—even how terribly I treated them," says Assistant Attorney General Lois Haight Herrington, who chaired the President's Task Force on Victims of Crime, recalling her own experience as a young lawyer in the 1960s. The trauma that victims suffered at the hands of criminals: their feelings of fear, anger and humiliation: their physical, financial and emotional losses—these were considered pitiable yet almost beside the point in an already overburdened system. But about 10 years ago, due in part to the women's movement and a sharpened public awareness of the shameful treatment of rape victims by courts and police, all that began changing. Today increasing care is given to victims and to their need to be decently included in the process of justice.

Programs roughly similar to Tucson's, based either in the local police department or prosecutor's office and usually paid for out of public funds, exist all over the country. In California alone there are 35 county-wide programs covering 97 percent of the population and offering help in the form of crisis intervention, counseling and guidance through the labyrinthine legal system.

Private organizations, too, are involved. In California, the 24-hour-a-day Santa Clara program is managed and partially paid for by the National Conference of Christians and Jews. Various corporations (Monsanto, Lukens Steel, Chase Manhattan) and charitable organizations provide some support for programs in Missouri, Pennsylvania and New York. In Minnesota inmates at the state prison in Stillwater contribute monthly to a victims' emergency fund.

Laws benefiting victims have been passed in most areas of the country. Thirty-nine states and the District of Columbia have enacted compensation programs: one authorizes payments of as much as $50,000 for medical charges and lost wages. In some states the criminal courts can order defendants to make restitution, and many victims seek further satisfaction through lawsuits in the civil courts.

Sad case histories, of course, have greatly stimulated the sense of public urgency. Charlotte Hullinger, whose daughter was killed in 1978, founded the Parents of Murdered Children, which now provides support through 37 chapters of POMC in the U.S., Canada and Australia. Maryland's Stephanie Roper Committee, named for a young woman whose killers got off with light sentences in 1982, has signed up 11,000 members and is lobbying to change state sentencing laws.

Although many professionals are skeptical, some serious efforts have been made to bring about a sort of reconciliation between victims and offenders. Obviously this is impossible in the most violent crimes. But in Genesee County, N.Y., in one case of criminally negligent homicide, the family of a woman killed by a drunk driver agreed to meet him. After the meeting the dead woman's son reported that he felt a great burden had been lifted, and his nightmares soon stopped. A figure for restitution was agreed on. And the woman's husband told authorities he thought the man should not have to serve the rest of his sentence of four months of weekends in jail but should spend more time in community service instead. ◆

H-8 (p. 1)

Life, 7:42, April, 1984

Compensation for crime victims has become more available, particularly in the past 10 years

Victim compensation programs are a relatively new phenomenon

In 1965, California launched the first statewide program. Since then, more than half of all States have started similar programs, most of them in the past 5 years.[4] These programs have been established in response to the problems faced by the victims of violent crime, particularly those who cannot afford medical expenses or loss of earnings. These State programs complement many other efforts to aid crime victims; such efforts include rape crisis centers and prosecutors' victim assistance programs.

Most programs provide for recovery of medical expenses and some lost earnings

Under many programs, if a victim dies, his or her family becomes eligible to apply for reimbursement of out-of-pocket medical and funeral expenses. At present, none of the programs reimburse the victim for property loss or damage. States usually deny awards to a victim who provoked the crime, was involved in an illegal activity when the crime occurred, or was related to the offender. Some States compensate only State residents as opposed to visitors to the State.

Victim compensation awards totaled $34 million in 1980

To pay for their victim compensation programs—

- 14 States rely on penalty assessments against convicted offenders.
- Another 14 States rely on legislative appropriations.
- The remaining States rely on a combination of the two sources.

Restitution to the victim by the offender usually reduces the compensation award.

In 11 States, money earned by offenders as a result of their crimes, such as by writing books, is put into an account from which victims are compensated. This approach was established by the New York legislature when convicted murderer David Berkowitz, the "Son of Sam" murderer, had expectations of making a great deal of money by selling his story.

37 States and the District of Columbia have compensation programs to help victims of violent crime

State	Financial award	To qualify, victim must— show financial need	report to police within:	file claim within:
Alaska	$0–40,000	No	5 days	24 months
California	$100–23,000	Yes	*	12 months
Colorado	$25– 1,500	No	3 days	6 months
Connecticut	$100–10,000	No	5 days	24 months
Delaware	$25–10,000	No	*	12 months
D.C.	$0–25,000	Yes	7 days	6 months
Florida	$0–10,000	Yes	3 days	12 months
Hawaii	$0–10,000	No	*	18 months
Illinois	$0–15,000	No	3 days	12 months
Indiana	$100–10,000	No	2 days	3 months
Iowa	$0– 2,000	No	1 day	6 months
Kansas	$100–10,000	Yes	3 days	12 months
Kentucky	$100–15,000	Yes	2 days	12 months
Louisiana	$250–10,000	No	3 days	12 months
Maryland	$100–45,000	Yes	2 days	6 months
Massachusetts	$100–10,000	No	2 days	12 months
Michigan	$100–15,000	Yes	2 days	1 month
Minnesota	$100–25,000	No	5 days	12 months
Missouri	$200–10,000	No	2 days	12 months
Montana	$0–25,000	No	3 days	12 months
Nebraska	$0–10,000	No	3 days	24 months
Nevada	$100– 5,000	Yes	5 days	12 months
New Jersey	$100–25,000	No	90 days	24 months
New Mexico	$0–12,500	No	30 days	12 months
New York	$0–20,000†	Yes	7 days	12 months
North Dakota	$100–25,000	No	*3 days	12 months
Ohio	$0–25,000	No	3 days	12 months
Oklahoma	$0–10,000	No	3 days	12 months
Oregon	$250–23,000	No	3 days	6 months
Pennsylvania	$100–25,000	No	3 days	12 months
Rhode Island	$0–25,000	No	10 days	24 months
South Carolina	$300–10,000	No	2 days	6 months
Tennessee	$100–10,000	No	2 days	12 months
Texas	$0–50,000	Yes	3 days	6 months
Virginia	$100–10,000	Yes	2 days	6 months
Washington	$200–15,000†	No	3 days	12 months
West Virginia	$0–20,000	No	3 days	24 months
Wisconsin	$0–12,000	No	5 days	24 months

*Must report but no time limit specified.
†Plus unlimited medical expenses.

Source: *State Legislatures*, November/December 1981; with additions from the National Organization of Victim Assistance.

BEST COPY AVAILABLE

Traditions of Crime

The key factor in preventing juvenile delinquency is to get families, schools, peer groups, youth gangs, local officials, and social organizations involved in providing healthier social development opportunities for young people, according to two reports published by the National Institute for Juvenile Justice and Delinquency Prevention and reported on in a recent issue of *Justice Assistance News*.

"It is logically impossible to attack the persisting causes of delinquency by treating individuals whose behavior is the outcome of those causes," said one of the reports, "The Prevention of Serious Delinquency: What to Do?"

Much of the nation's serious delinquency, the report added, can be found in those parts of U.S. cities where land-use policies created slums and where traditions of crime were generated by immigrants, the unemployed, and the dispossessed—people who were attracted by the social support of others like themselves or by nearby job opportunities, or who were forced there by low rents or racial discrimination.

"The cultural transmission of criminal values and behavior patterns keeps the delinquency rate high and stable and preserves the area's cultural disorganization," the report continued. "The process, then, continues in a vicious circle."

"In essence," the study commented, "an individual learns criminal behavior, particularly within social groups or social areas where there is a culture conflict or inconsistency surrounding the violation of the law."

If the social process of making a youngster moral has been interrupted by uncaring or poorly trained parents, inadequate school performance, job failure, unemployment, or discrimination, the child is more at risk and is more likely to be influenced by similar youths who provide the support, rewards, and reinforcements that the conventional world withholds, the report pointed out. A juvenile delinquent, it said, learns criminal behavior, which he accepts as normal, in local communities or social groups where violent conduct is tolerated or encouraged.

The report and the companion volume, "Preventing Delinquency," and a 30-minute movie, "Preventing Delinquency—The Social Development Approach," were prepared for the National Institute—which is a part of the Office of Juvenile Justice and Delinquency Prevention—by the University of Washington's Center of Law and Justice in Seattle. The reports were written by Joseph G. Weis, John Sederstrom, and J. David Hawkins.

"Preventing Delinquency" stated that more than 40 percent of all arrests for murder, forcible rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft are of youths less than 18 years old.

Between 1970 and 1977, it said, the adult arrest rate for these crimes increased by 21 percent and the juvenile rate by 22 percent, but the arrest rate for youths remained about 65 percent greater than that for adults. During the same period of time juvenile court referrals increased by 36 percent, while adult prosecutions increased by 9 percent.

Both reports emphasized the crucial impact on children of the community's socializing institutions—family, school, peers, coworkers and friends, among others.

The Office of Juvenile Justice and Delinquency Prevention has implemented a research and development project based on the recommendations in six school-based programs in Reading, Pennsylvania; Bangor, Maine; Waterbury, Connecticut; Delray Beach, Florida; Paterson, New Jersey; and New York City as well as in a more comprehensive long-term project in Seattle.

Society, 21:2, Jan/Feb 1984

VICTIM'S BILL OF RIGHTS

Source: Victim's Bill of Rights, Victim's Assistance Network, (Louisville, Kentucky, Commonwealth Attorney's Office, 1981) pp. 1-2.

Basic bill of rights for victims and witnesses. As a law abiding citizen or as a Victim or Witness of crime one has the right:

(1) To be informed by local law-enforcement agencies, or the county or Commonwealth's attorney of the current status of their case and to be informed of the final disposition of that case.

(2) To be informed of post sentence hearings affecting parole or probation rights of the accused and the right to be informed by the appropriate criminal justice agency when the perpetrator or defendant is released from custody.

(3) To be notified that a court proceeding to which they have been subpoenaed will not go on as scheduled, in order to save the person an unnecessary trip to court.

(4) To be free from intimidation when involved in the criminal justice system and to receive the maximum available protection from threats and harm when such intimidation cannot be prevented.

(5) To be notified that a county or commonwealth attorney is intending to enter into a plea bargain with the defendant and to have the details of the plea bargain explained in non-technical language.

(6) To be treated with dignity, respect and courtesy through the provision of basic human services to meet emergency and long term needs caused by financial, physical, or psychological injury.

(7) To be informed by agents of the criminal justice system of available compensation as provided by the state's Crime Victim's Compensation Board.

(8) To be informed of social services or other means of financial assistance available as a result of being a victim or witness of crime, including information on how to apply for these services and assistance.

(9) To have any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible. Whenever possible, a photograph should be used in lieu of the actual evidence.

(10) To be provided with appropriate employer intercession services to ensure that employers of victims and witnesses will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances.

(11) To be entitled to a speedy disposition of the case in which they are involved as a victim or witness in order to minimize the length of time they must endure the stress of their responsibilities in connection with their case.

(12) To be provided information and assistance in obtaining reimbursement for travel expenses as outlined in the state statutes.

(13) To be provided, whenever possible, a secure waiting area during court proceedings that does not require the victims and witnesses to be in close proximity to defendants and families and friends of defendants.

(14) To have the immediate family members of all homicide victims afforded all of the rights herein granted to victims and witnesses with the exception of provision 12.

American Correctional Association
Declaration of Principles

Preamble

More than a century ago, in 1870, leaders in American corrections first developed principles stating the ideas and objectives underlying the practice of their profession.

As members of the American Correctional Association, we continue in the spirit of our founders by renewing and revising these principles in 1982, so they may continue to guide sound correctional practices, make clear our philosophy and aims, and facilitate our seeking out and involving the leaders and citizens of the communities we serve.

The role of corrections is to assist in the prevention and control of delinquency and crime. We believe that the principles stated herein provide the conceptual foundation for correctional policy that will increase that contribution. Ultimately, however, preventing criminal and delinquent behavior depends in large measure on the will of the individual and the constructive qualities of society and its basic institutions—family, school, religion, and government.

Social order in a democratic society depends on full recognition of individual human worth and dignity. Thus, in all its aspects, corrections must be measured against standards of fairness and humanity. We share with the rest of the juvenile and criminal justice systems the obligation to balance the protection of individuals against excessive restrictions.

Finally, we are committed to conducting corrections in a manner reflecting rational planning and effective administration as measured by recognized professional standards.

Principles
Article I—Basic Precepts

1. Laws and administrative policies and systems stemming from them shall be based on respect for human dignity and worth with recognition that hope is essential to humane and just programs.
2. Victims, witnesses, and all other citizens who come in contact with the criminal justice system shall receive fair, concerned consideration and assistance including restitution and/or compensation when appropriate.
3. The accused or convicted offender shall be accorded the protection of recognized standards of safety, humaneness, and due process. Individuals who are neither accused nor charged with criminal offenses should be served by other systems.
4. Sanctions imposed by the court shall be commensurate with the seriousness of the offense and take into account the past criminal history and extent of the offender's participation in the crime. Unwarranted disparity, undue length of sentences, and rigid sentencing structures are an injustice to society and the offender and create circumstances that are not in the best interest of mercy, justice, or public protection.
5. The least restrictive means of control and supervision consistent with public safety shall be used. Use of institutions for control and supervision of pretrial detention and post-conviction disposition shall be based on judicious and restricted use of a limited resource. Incarceration shall only be used with juveniles or adults charged with or convicted of criminal offenses and for whom no other alternative disposition is safe or acceptable to society.
6. Juvenile and adult correctional agencies, whether federal, state, or local, or public, private, or voluntary, must regard themselves as part of a highly integrated larger system that must work together toward common goals.
7. Correctional agencies, in order to be accountable to and receive strong support from all branches of government and the public at large, must take an active role in setting future direction and must provide information on which public policy decisions can be made.

Article II—Programs and Services

8. Correctional programs at all levels of government require a careful balance of community and institutional services that provide a range of effective, just, humane, and safe options for handling adult and juvenile offenders. These services shall meet accepted professional standards and be accredited where appropriate.
9. Correctional agencies shall provide classification systems for determining placement, degree of supervision, and programming that afford differential controls and services for adult and juvenile offenders. These systems shall be based on sound theory and empirical knowledge of human behavior, giving consideration to such factors as age, sex, physical and mental conditions, and the nature of the offense.
10. All offenders, whether in the community or in institutions, shall be afforded the opportunity to engage in productive work and participate in programs including educational, vocational training, religious, counseling, constructive use of leisure time, and other activities that will enhance self-worth, community integration, and economic status.

Article III—Personnel

11. Adequately trained and well-supervised volunteers are essential adjuncts to effective delivery of services to adult and juvenile offenders at all stages of the correctional process.
12. Leadership selection for correctional agencies at all levels, public and private, shall be on the basis of merit without regard for political affiliation, race, sex, or religion, with tenure assured as long as there is demonstrated competent performance and compliance with professional and ethical standards.
13. The staff of correctional systems must be professionally competent and well-trained. They shall be selected and retained on the basis of merit without regard to political affiliation, race, sex, or religion and afforded training, career development experiences, and remuneration commensurate with job requirements and performance.

Article IV—Advancement of Knowledge

14. Correctional agencies have a continuing responsibility to promote, sponsor, and participate in research and program evaluation efforts. Doing so will contribute to both an understanding of the prevention and control of delinquent and criminal behavior and to assessment of the effectiveness and efficiency of programs and services.

H-11 (p. 2)

II-11 (p. 3)

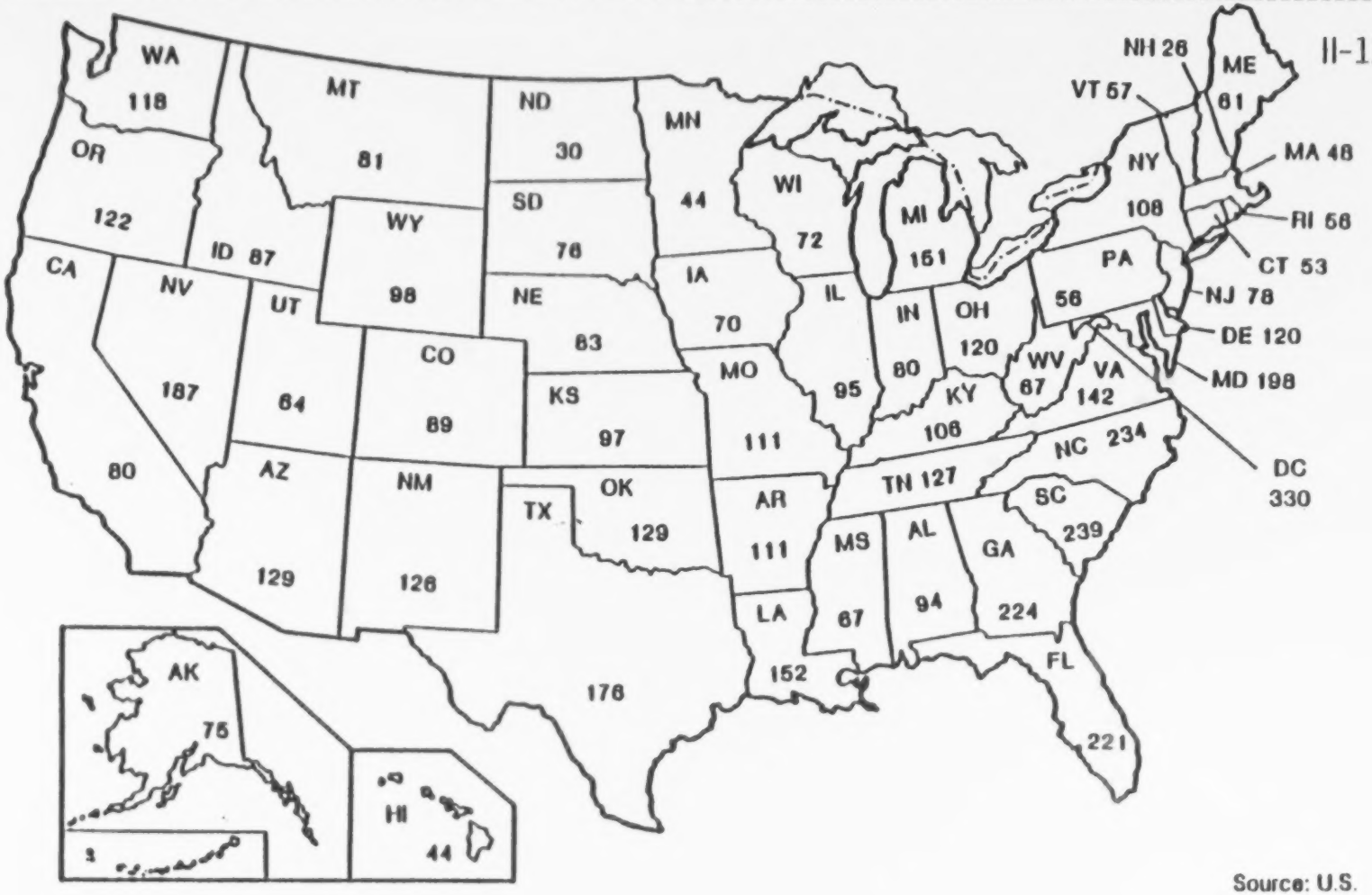


Figure 7.7.

Rate (per 100,000 civilian population) of sentenced prisoners incarcerated in state institutions, by jurisdiction

Source: U.S. Department of Justice, Bureau of Justice Statistics, Prisoners in State and Federal Institutions on December 31, 1979 "National Prisoner Statistics," *Bulletin* (Washington, D.C.: U.S. Department of Justice, 1981), p. 3.

C/SET MODULE: _____ DATE: _____

TRAINER: _____

Please answer the following questions as honestly as you can. Your responses will be used for the following purposes:

1. To assist trainers in evaluating training effectiveness.
2. To assist in planning future training sessions.
3. To assist in revising C/SET training modules.

General Questions (Check One)

1. Was your attendance at the session(s):

___ a. by your own initiative to gain information on the topical areas?

___ b. by your own initiative as respite from the classroom?

___ c. a requirement you felt good about?

___ d. a requirement you would rather not have had?

Comment (Optional): _____

2. Training session(s) were:

___ a. held at a convenient time and day of the week.

___ b. held at a convenient time but not a convenient day of the week.

___ c. held at a poor time but on an appropriate day of the week.

___ d. neither convenient as to time or day of the week.

Comment (Optional)_____

Suggestions for better time and/or day (optional): _____

3. How appropriate was the length of the training session(s)?

___ much too long
___ somewhat long
___ just right
___ somewhat short
___ much too short

Comment (Optional): _____

Specific Questions (Check One)

1. What is your overall reaction to the information presented in the session(s):

___ I see little or no application
___ I might apply it, but first I need more information
___ I might apply it, but first I need more in-situation feedback and support
___ I will apply it; it could result in an increased effectiveness
___ I have applied it and have found it useful
___ I have applied it and have found it to be ineffective

Comment (Optional): _____

2. The information presented was:

___ new and exciting
___ the same old stuff with a different bend
___ nothing new

Comment (Optional): _____

3. The presentor was:

___ knowledgeable and interesting
___ knowledgeable yet boring
___ unsure about the content, yet interesting
___ unsure about the content and boring

Comment: _____

4. Media used in the session(s) was:

___ very effective
___ adequate
___ poor

Comment: _____
_____

Please send completed evaluations to:

C. Michael Nelson, Ed.D.
Department of Special Education
University of Kentucky
Lexington, KY 40506

5. What was the most important learning that resulted from the session(s)?

6. What was disappointing about the session(s)? What did you need or expect to learn that you didn't?

7. What will you do differently in your classes as a result of the training session(s)?

8. Other comments or suggestions: